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ORDER

Mr. Coulter acknowledges that his Petition arises out of a criminal case pending against him in State Court, which is still in the pretrial stages. Absent extraordinary circumstances, federal courts may not enjoin or otherwise interfere with pending state criminal prosecutions on

1 constitutional grounds. The federal court must abstain and allow the state court to adjudicate all
2 claims, state and federal. *Younger v. Harris*, 401 U.S. 37, 49-53 (1971). The purpose is to avoid
3 unnecessary state-federal conflict, call it comity, federalism, or some other term.

4 Also, Petitioner suggests that he filed the Petition in this Court by accident and asks
5 this Court to file his Petition in the correct court (he claims it to be the Ninth Circuit Court of
6 Appeals). This Court has no authority, obligation or policy to select the appropriate court and file
7 documents in that court for litigants. Petitioner's request is denied.

8 IT IS THEREFORE ORDERED that Magistrate Judge's Report of Findings and
9 Recommendation (#2) is ACCEPTED and ADOPTED, Petitioner Coulter's Petition for a Writ of
10 Mandamus and Prohibition (#1) is denied and the Petition is dismissed.

11 Dated: November 19, 2008.

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14 **ROGER L. HUNT**
15 Chief U.S. District Judge
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